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Comments on the proposed conservation of the specific name of *Rivulus marmoratus* Poey, 1880 (Osteichthyes, Cyprinodontiformes)

(Case 2722; see BZN 47: 191–194)

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Lazara & Smith agree with my work (1984) that *Rivulus ocellatus* Hensel, 1868 and *R. marmoratus* Poey, 1880 are likely to be conspecific (para. 4 of their application). However, the arguments for suppressing the name *ocellatus* in favour of *marmoratus* are not as simple as they suggest. There is a type specimen for *ocellatus* but there are no types for *marmoratus*, according to Lazara & Smith (para. 1). As they say, the specimens identified by Rivas (1945) as the types of *marmoratus* are labelled *R. cylindraceus* Poey, 1861, a species with which *marmoratus* was considered synonymous (see below). In my 1984 paper I accepted that Rivas had traced Poey's original specimens; I was not able to have these specimens on loan when preparing my publication. Without types there is uncertainty about the true (original) identity of *marmoratus* Poey, 1880 and it is incorrect to say that 'this does not affect the case'. Moreover, there is no exact type locality for *marmoratus*, Poey (1880) having described the locality as 'Cuba, if they do not exist in the United States of America'.

Lazara & Smith state (para. 3) that *marmoratus* 'is the only name applied to the species in the experimental and genetic literature prior to Seegers, 1984'. However, *marmoratus* is not the only name that has been used in general biological literature: the authors failed to mention that until Rivas's publication (1945) *marmoratus* was placed in the synonymy of *cylindraceus* by nearly all ichthyologists (see, for example, Garman, 1895; Regan, 1912; Myers, 1927; Jordan, Evermann & Clark, 1930). In my list of synonyms (Seegers, 1984, pp. 295–297) I commented on most publications of the name *marmoratus*, and there is also an annotated list in Rivas (1945, p. 96). It is only

since the publications of Rivas (1945), followed by Harrington & Rivas (1958), that *marmoratus* has been used as the name for the species and there has not been '109 years of extensive usage of the name', as stated by Lazara & Smith (para. 7). Therefore, in 1984 I did not upset 'a long accepted name in its accustomed meaning' through the introduction of a senior name. By 1919, Metzelaar (p. 24), followed by Hoedeman (1959, pp. 49, 52), was tentatively thinking that *marmoratus* was conspecific with *ocellatus*.

Lazara & Smith state (para. 5) that in 1984 'Seegers (p. 304) actually stated that the trinomen [*R. ocellatus marmoratus*] could only be used if subspecies were found in the future. No one has suggested that differences exist to justify use of subspecific names'. This is not so; a subspecies, *R. marmoratus bonairensis* Hoedeman, 1958 from Pos di Pepe, Bonaire, has been described (cited by me (1984, p. 304) as *R. ocellatus bonairensis*). To my knowledge no author has accorded *bonairensis* specific status and the subspecies still stands (although I have doubts about its validity). If this Antilles population, which is situated between the most northerly and the most southerly populations, deserves subspecific rank, then it is likely that the most northerly population is subspecifically distinct from the southerly, although research to clarify the situation still remains to be done. If the populations are indeed distinct the name *R. ocellatus marmoratus* is available for the Florida population, but there would be no name available for a southern (Brazilian) subspecies if the name *ocellatus* is suppressed.

For the reasons I have stated I do not support the application by Lazara & Smith to conserve the name *marmoratus* by suppressing the senior name *ocellatus*. Although I have no particularly strong feelings on the matter I believe that *ocellatus* should be retained as the valid name for the species.

Additional references

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We disagree with Seegers' comment (above) for a number of reasons and believe that our application for the suppression of the name *Rivulus ocellatus* Hensel, 1868 for the purposes of the Principle of Priority should stand.

We judge that the loss of Poey's types does not affect the case because there is no controversy about the identity of *Rivulus marmoratus*. Poey's (1880) original description is fully adequate to distinguish the species from all others, and more than 100